

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION CORPORATION, Plaintiff-Applicant, v. BERNARD L. MADOFF INVESTMENT SECURITIES LLC, Defendant.	Adv. Pro. No. 08-01789 (CGM) SIPA Liquidation (Substantively Consolidated)
In re: BERNARD L. MADOFF, Debtor.	
IRVING H. PICARD, Trustee for the Substantively Consolidated SIPA Liquidation of Bernard L. Madoff Investment Securities LLC and the Chapter 7 Estate of Bernard L. Madoff, Plaintiff, v. ZCM ASSET HOLDING COMPANY (BERMUDA) LIMITED, Defendant.	Adv. Pro. No. 12-01512 (CGM)

**ORDER DENYING
DEFENDANT'S MOTION TO DISMISS**

Defendant ZCM Asset Holding Company (Bermuda) Limited (“**Defendant**”) filed a motion to dismiss the complaint, as amended by stipulation dated April 21, 2023 (the “**Amended Complaint**”), under Bankruptcy Rule 7012(b) and Federal Rule of Civil Procedure 12(b)(6) (the “**Motion**”) on June 30, 2023 (ECF No. 102). The parties stipulated to rest on their papers and waive oral argument on the Motion on October 25, 2023 (ECF No. 119). The Court has considered the Motion, the papers filed in support of and in opposition to the Motion, and the Amended

Complaint. The Court issued a memorandum decision, dated November 17, 2023, regarding the Motion (the “**Decision**”) (ECF No. 123). Based on the record in this adversary proceeding, including the Decision, **IT IS ORDERED:**

1. The Motion is denied.
2. The deadline for Defendant to file an answer to the Amended Complaint is January 19, 2024.
3. The Court shall retain jurisdiction to implement or enforce this Order.

Dated: November 30, 2023
Poughkeepsie, New York



/s/ Cecelia G. Morris

Hon. Cecelia G. Morris
U.S. Bankruptcy Judge